

# **Notice of Allowability**

**Application No.**

09/862,352

**Examiner**

Daniel J Petkovsek

**Applicant(s)**

EDAGAWA ET AL.

**Art Unit**

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## **-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment received September 15, 2003
  2. ☒ The allowed claim(s) is/are 1, 5, 7, 11-14, 18-20 and 24-26
  3. ☒ The drawings filed on 6/15/04 are accepted by the Examiner
  4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) ☒ All b) ☐ Some\* c) ☐ None of the:
      1. ☒ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
    - (a) ☐ The translation of the foreign language provisional application has been received.
  6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☒ including changes required by the proposed drawing correction filed March 20, 2003, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

- 1 ☐ Notice of References Cited (PTO-892)
- 2 ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3 ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. \_\_\_\_\_
- 4 ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- 5 ☐ Notice of Informal Patent Application (PTO-152)
- 6 ☐ Interview Summary (PTO-413), Paper No. \_\_\_\_\_
- 7 ☐ Examiner's Amendment/Comment
- 8 ☒ Examiner's Statement of Reasons for Allowance
- 9 ☐ Other

**Brian Healy**  
Primary Examiner

### **DETAILED ACTION**

This office action is in response to the amendment received on September 15, 2003. In accordance with the amendment, claims 1 and 5 have been amended. Claims 1, 5, 7, 11-14, 18-20, and 24-26 are currently pending. The verified translation of JP Application 2000-182164 has been acknowledged.

#### ***Drawings***

1. Corrected drawings must be submitted, including the changes required by the proposed drawing correction filed on March 20, 2003, which has been approved by the Examiner.

#### ***Allowable Subject Matter***

2. Claims 1, 5, 7, 11-14, 18-20, and 24-26 are allowed. The following is an examiner's statement of reasons for allowance: the relevant prior art does not teach or reasonably suggest a pump light generator comprising: two or more pumping sources, a combiner to combine two or more pumping lights in orthogonal state of polarization, and a degree-of-polarization reducer comprising a birefringent medium to reduce the degree of polarization output from the combiner, in which the following limitations exist: outputting each input pumping light from each polarization axis of the birefringent medium at practically equal optical power to the other, or the birefringent medium comprises polarization dispersion longer than a coherence length of the output light from each pumping light source. Regarding claims 13 and 26, the relevant prior art does not teach or reasonably suggest that in a pumping light generator combining two sources, the degree-of-polarization reducer comprises 1<sup>st</sup> and 2<sup>nd</sup> birefringent mediums in each where polarization dispersion is longer than a coherence length of the output, further in which one polarization dispersion differs twice as much as the other, where the output from the two

polarization axes comes at equivalent optical power. The closest prior art of record (Jain et al. U.S.P. No. 4,784,450) teaches a pump light generator comprising: two or more pumping sources, a combiner to combine two or more pumping lights in orthogonal state of polarization, and a degree-of-polarization reducer comprising a birefringent medium to reduce the degree of polarization output from the combiner, but does not explicitly teach or reasonably disclose the further limitations as described above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Response to Arguments***

3. Applicant's arguments, see amendment, filed September 15, 2003, with respect to Jain et al. '450 have been fully considered and are persuasive. The rejections of claims 1, 5, 7, 11, 12, 14, 18-20, and 24-25 under 35 U.S.C. 103 (a) have been withdrawn.
4. Upon receipt of the translation of JP Application 2000-182164, which has an effective filing date of June 16, 2000, the rejections to claims 1, 5, 7, 11, 14, 18, 20, and 24 under 35 U.S.C. 102(e), and claims 12, 19, and 25 under 35 U.S.C. 103(a), to Ziari et al. U.S.P. No. 6,522,756, which has an effective filing date of October 24, 2000, have been withdrawn.

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J Petkovsek whose telephone number is (703) 305-6919. The examiner can normally be reached on M-F 8:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on (703) 308-4819. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9318.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 872-9321.



Daniel Petkovsek  
November 19, 2003



Brian Healy  
Primary Examiner